IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX REFERENCE NO. 265 OF 1998

The Commissioner of Income-tax,
Kolhapur. ...Applicant

V/s

M/s.Shri Mahalaxmi Construction
Corporation, Kolhapur. ...Respondent

Mr.A.S. Rao for Applicant.
None for Respondent.

CORAM : S. RADHAKRISHNAN AND
A.S. AGUIAR, JJ.
DATED : JUNE 21, 2005.

P.C. :-

1. Heard learned Counsel for the applicant.

2. The above reference is of the year 1998. The matter was adjourned from time to time to serve upon the respondent. Till date, the applicant has not served the respondent nor has filed any affidavit of service.

3. Learned Counsel for the applicant fairly states that he has no instructions as to whether any attempt was made to serve the respondent and admittedly, there is no affidavit of service.

4. In the circumstances, application stands dismissed in default.

(S. RADHAKRISHNAN, J.)

(A.S. AGUIAR, J.)